



June 13, 2014

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The Honorable Leonard Davis
Chief Judge
United States District Court, Eastern District of Texas
c/o Gabrielle LaHatte, Esq., Chief Staff Attorney
211 W. Ferguson Street
Tyler, Texas 75702

Re: MyPort IP, Inc. v. HTC Corporation, et al.
CA No. 6:11-cv-00246 (E.D. Texas filed
May 13, 2011)

Dear Judge Davis:

We are general counsel for Plaintiff MyPort IP, Inc. ["MyPort"], and we respectfully request Your Honor's indulgence and waiver of Local Rule AT-1 of this Court so we might file this **Status Report and Request for Extension** when we are not admitted to practice before Your Honor's court, and since MyPort has not yet secured replacement counsel in this action. We can assure Your Honor that MyPort has worked tirelessly and diligently to secure new counsel, and, in the absence of new counsel in this cause, we have endeavored below to apprise Your Honor of the reexamination proceedings' status, as ordered.

We understand the Patent and Trademark Office [USPTO] vacated the original *inter partes* reexamination proceedings defendants initiated against MyPort's '440 and '638 patents, the asserted patents in this action. We also understand Defendants insisted the reexaminations were not complete because Defendants intended to take any available action to force reexamination of those patents by the USPTO, including seeking reinstatement of the *inter partes* reexamination proceedings or filing *ex parte* reexaminations, and that Defendants therefore insisted their intent to take such actions meant the reexamination proceedings were not resolved. We understand Defendants recently filed *ex parte* reexamination proceedings against both patents-in-suit.

Defendants' latest reexamination filings have substantially complicated MyPort's ability to secure replacement counsel who must now determine, *inter alia*, whether Defendants' filing of their new *ex parte* reexamination petitions entail or merit a further extension of Your Honor's original stay entered in July 2012. MyPort is diligently discussing engagement with prospective counsel, but the foregoing new *ex parte* reexamination petitions just recently filed, and the thousands of page of materials potential replacement counsel must review require MyPort to

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The Honorable Leonard Davis

June 13, 2014

Page 2

seek additional time from Your Honor to engage replacement counsel. Given the new *ex parte* reexamination proceedings Defendants filed, MyPort submits an additional extension of ninety (90) days is necessary and reasonable to complete MyPort's replacement counsel efforts.

We appreciate the opportunity to apprise Your Honor (and all Parties) of MyPort's continuing efforts, and of our understanding of the USPTO events. Please do not hesitate to call upon us, if we can be of any further assistance to Your Honor and the Parties.

Respectfully yours,

William H. Shawn

General Counsel for MyPort IP, Inc.

cc: Michael F. Malone
All counsel of record